



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB2271

Introduced 2/18/2009, by Rep. Julie Hamos

#### SYNOPSIS AS INTRODUCED:

70 ILCS 3605/41

from Ch. 111 2/3, par. 341

Amends the Metropolitan Transit Authority Act. Provides that certain civil actions against the Metropolitan Transit Authority must be commenced within one year (instead of 6 months) from the date the injury was received or the cause of action accrued. Provides that, if the Authority is notified in writing later than one year (instead of 6 months) from the date the injury occurred or the cause of action arose, then the Authority is not obligated to furnish a copy of the statute to the person. Provides that the changes made by the amendatory Act apply to causes of action that accrue on or after the effective date of the amendatory Act. Effective immediately.

LRB096 04136 RLJ 14177 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Metropolitan Transit Authority Act is  
5 amended by changing Section 41 as follows:

6 (70 ILCS 3605/41) (from Ch. 111 2/3, par. 341)

7 Sec. 41. No civil action shall be commenced in any court  
8 against the Authority by any person for any injury to his  
9 person unless it is commenced within one year from the date  
10 that the injury was received or the cause of action accrued.  
11 Within one year ~~six (6) months~~ from the date that such an  
12 injury was received or such cause of action accrued, any person  
13 who is about to commence any civil action in any court against  
14 the Authority for damages on account of any injury to his  
15 person shall file in the office of the secretary of the Board  
16 and also in the office of the General Counsel for the Authority  
17 either by himself, his agent, or attorney, a statement, in  
18 writing, signed by himself, his agent, or attorney, giving the  
19 name of the person to whom the cause of action has accrued, the  
20 name and residence of the person injured, the date and about  
21 the hour of the accident, the place or location where the  
22 accident occurred and the name and address of the attending  
23 physician, if any. If the notice provided for by this Section

1 ~~section~~ is not filed as provided, any such civil action  
2 commenced against the Authority shall be dismissed and the  
3 person to whom any such cause of action accrued for any  
4 personal injury shall be forever barred from further suing.

5 Any person who notifies the Authority that he or she was  
6 injured or has a cause of action shall be furnished a copy of  
7 Section 41 of this Act. Within 10 days after being notified in  
8 writing, the Authority shall either send a copy by certified  
9 mail to the person at his or her last known address or hand  
10 deliver a copy to the person who shall acknowledge receipt by  
11 his or her signature. When the Authority is notified later than  
12 one year ~~6 months~~ from the date the injury occurred or the  
13 cause of action arose, the Authority is not obligated to  
14 furnish a copy of Section 41 to the person. In the event the  
15 Authority fails to furnish a copy of Section 41 as provided in  
16 this Section, any action commenced against the Authority shall  
17 not be dismissed for failure to file a written notice as  
18 provided in this Section. Compliance with this Section shall be  
19 liberally construed in favor of the person required to file a  
20 written statement.

21 The changes to this Section made by this amendatory Act of  
22 the 96th General Assembly apply to causes of action that accrue  
23 on or after the effective date of this amendatory Act of the  
24 96th General Assembly.

25 (Source: P.A. 90-451, eff. 7-1-98.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.